

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with John M. Genova on 06/30/10.

The application has been amended as follows:

Claim 1, line 3, after the word "combining", the phrase "in less than 30 seconds" has been inserted.

Claim 1, line 8, after the phrase "amorphous particles", the phrase "for at least 10 minutes" has been inserted.

Claim 18, line 1, the phrase "claim 15" has been amended to "claim 1".

Claims 13 and 15 have been cancelled.

The following is an examiner's statement of reasons for allowance:

The closest prior art, Kipp et al., does not teach that a first solution and an aqueous phase are rapidly combined in less than 30 seconds. Dieter et al., teaches rapidly mixing the two phases, however, Dieter does not teach sonicating the amorphous particles for at least 10 minutes.

Art Unit: 1615

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Claims 1, 3-10,12, 14 and 16-20 are allowed.

### ***Correspondence***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to S. TRAN whose telephone number is (571) 272-0606. The examiner can normally be reached on M-F 8:30 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert A. Wax can be reached on (571) 272-0623. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

Art Unit: 1615

Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>.

Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/S. TRAN/

Primary Examiner, Art Unit 1615